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7 *Attorneys for Plaintiff EnvTech, Inc.*

8 **UNITED STATES DISTRICT COURT**
9 **FOR THE DISTRICT OF NEVADA**

10 ENVTECH, INC., a Nevada Corporation,
11 Plaintiff,
12 vs.
13 RICHARD VICTOR RUTHERFORD, an
14 individual,
15 Defendant.

Case No.: 3:21-cv-00048-MMD-CLB

**STIPULATION AND ORDER TO EXTEND
DEADLINE FOR FILING RESPONSES TO
DISPOSITIVE MOTIONS
[THIRD REQUEST]**

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17 Plaintiff EnvTech, Inc. (“Plaintiff” or “EnvTech”) and Defendant Richard V. Rutherford
18 (“Defendant” or “Rutherford”) (collectively “the Parties”), by and through their respective counsel,
19 hereby stipulate and agree that the deadlines for filing responses and replies to the Parties’ pending
20 dispositive motions be extended by one (1) day for the reasons set forth below.

21 The current deadline for filing responses to the Parties’ pending dispositive motions is April
22 28, 2023 (ECF No. 82). However, Plaintiff’s counsel’s office is extremely short-staffed and the
23 filing of Plaintiff’s Opposition to Defendant’s Motion for Summary Judgment requires significant
24 administrative attention (including the filing of documents under seal and ensuring publicly filed
25 documents are properly redacted pursuant to the Parties’ Confidentiality Agreement and Stipulation
26 for Entry of a Qualified Protective Order (ECF No. 25)). Therefore, the Parties request an additional
27 one (1) day to submit their respective opposition motions and their corresponding replies. As a
28 result, the parties have agreed to extend the deadline for filing responses to the pending dispositive

1 motions by a period of one (1) business day (from Friday, April 28, 2023, to Monday, May 1, 2023)
2 and have further agreed that their respective replies will be due on Monday, May 15, 2023).

3 The Parties have each filed dispositive motions. This is the third request specifically seeking
4 extensions of the deadlines for responses and replies to dispositive motions. This request is made
5 in good faith, is not for the purpose of delay. Accordingly, the Parties have agreed and stipulate to
6 the following deadlines for the dispositive motions in this case:

7 1. *Responses to Dispositive Motions:*

8 The Parties shall file responses to dispositive motions no later than **Monday, May 1, 2023.**

9 2. *Replies in Support of Motions:*

10 The Parties shall file replies in support of motions no later than **Monday, May 15, 2023.**

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3. *Pretrial Order:*

The Joint Pretrial order shall be suspended until thirty (30) days after the ruling on the dispositive motions.

DATED this 28 day of April 2023.

DATED this 28 day of April 2023.

SIMONS HALL JOHNSTON PC

OGLETREE, DEAKINS, NASH, SMOAK & STEWART,
P.C.

/s/ Sandra Ketner

/s/ Noel M. Hernandez

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Attorneys for Defendant

ORDER

IT IS SO ORDERED.



UNITED STATES DISTRICT JUDGE

May 1, 2023

DATED

SIMONS HALL JOHNSTON PC
690 Sierra Rose Drive
Reno, Nevada 89511
Phone: (775) 785-0088

PROOF OF SERVICE VIA ELECTRONIC SERVICE

I, Kelly Lee, declare:

I am employed in the City of Reno, County of Washoe, State of Nevada by the law offices of Simons Hall Johnston PC. My business address is 690 Sierra Rose Drive, Reno, Nevada 89511. I am over the age of 18 years and not a party to this action.

On April 28, 2023, I served the foregoing **STIPULATION AND ORDER TO EXTEND DEADLINE FOR FILING RESPONSES TO DISPOSITIVE MOTIONS [THIRD REQUEST]** by causing the document to be served via electronic service, addressed to the following e-mail addresses:

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I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct, and that this declaration was executed on April 28, 2023.

/s/ Kelly Lee
An Employee of Simons Hall Johnston PC

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